GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Urban Land (Ceiling & Regulation) Repeal Act, 1999 (Central Act 15 of 1999) – Excess lands declared and taken possession under the provisions of the ULC Act, 1976 in 3 Urban Agglomerations - Allotment of excess lands which are already under occupation of 3rd parties and declarants in core and peripheral areas – Policy Guidelines - Orders – Issued.

REVENUE (UC.I) DEPARTMENT

G.O.Ms.No.36 **Dated:31.01.2022.**

Read the following:-

1. G.O.Ms.No.455 & 456, Revenue (UC.I)Dept., Dt:29.07.2002.
2. Judgment of High Court of A.P. in W.P.No.21395/2002,Dt:13.11.2003.
3. Orders of Supreme Court of India in SLP No.2537/2004,Dt:26.03.2004.
4. G.O.Ms.No.747, Revenue(UC.I), Department, Dt. 18.06.2008.
5. G.O.Ms.No.1480, Revenue (UC.I) Department, Dt.11.12.2008.
6. CCLA's Lr. No. LP-(UC.I).161/2021, Dt.19.05.2021, 4.6.2021, 14.7.2021 and 1.8.2021
7. G.O.RT.No.1383 GA (Cabinet.I) Department, Dt. 25.8.2021
8. G.O.Rt.No.1384 GA (Cabinet.I) Department, Dt. 25.8.2021
9. CCLA's Lr.No.LP-(UC.I)/161/2021, Dt. 31.12.2021.

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O R D E R :

The Government have issued policy guidelines in the G.Os.1st read above, keeping in view the observations of High Court of A.P., in W.P.No.19344/95 and batch dated:03.02.1997 and recommendations of Cabinet Sub-Committee for allotting the excess lands to such respective third parties in occupation U/s 23 of the Urban Land (Ceiling & Regulation) Act, 1976 (Central Act 33 of 1976) in favour of land owners/declarants u/s 20(1) of the said Act subject to certain conditions specified therein.

2. Whereas, a W.P.No.21395/2002 in the nature of probano public was filed before the Hon'ble High Court of Andhra Pradesh challenging the validity of policy guidelines issued in the G.Os. first read above and the said W.P. was dismissed by the Hon'ble High Court of A.P., on 13.11.2003 upholding the validity of the said G.Os. Aggrieved by the said judgment, the petitioner approached the Hon'ble Supreme Court of India by filing SLP. No.2537/2004 and it was also dismissed by the Hon'ble Supreme Court of India in their orders dated 26.03.2004.

3. And whereas, the Urban Land (Ceiling and Regulation) Act, 1976 has been repealed by the Government of India by enacting the Urban Land (Ceiling and Regulation) Repeal Act, 1999 (Central Act 15 of 1999). Accordingly, the A.P. Legislature adopted the Urban Land (Ceiling and Regulation) Repeal Act, 1999 by a resolution on 27.03.2008 and thus it has come into force in the State of Andhra Pradesh with effect from 27.03.2008.

4. And, whereas, the Government, while keeping in view the provisions of section 3(1)(a) of the Urban Land (Ceiling & Regulation) Repeal Act, 1999 providing that the repeal of the principal Act may not affect the vesting of any vacant land under sub-section (3) of section 10, possession of which has been taken over by the Government or any authorized person or the competent authority, etc., and after careful consideration of the issue, the Government have re-issued the scheme for allotment of excess lands to third parties in occupation/land owners in GO 4th cited subject to the conditions specified therein. The Government have extended the date for receipt of applications beyond 13.11.2008 with double rates prescribed in G.O.4th cited until further orders vide reference 5th cited.

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5. In the reference 6th cited, the CCLA & Spl.C.S has sent proposals for extension of the scheme issued in G.O.Ms.No.747, Revenue (UC.I), Department, dated 18.06.2008 (reference 4th read above) read with G.O.Ms.No.1480 Rev.(UC.I) Department, Dated 11.12.2008 (reference 5th read above) with certain modifications for simplification of the scheme, based on the proposals received from the Joint Collector & Competent Authority, ULC, Visakhapatnam, Krishna and Guntur.

6. In the reference 7th cited, the Government have constituted an Empowered Committee to examine, deliberate and submit a report on the subject. In the reference 8th cited, the Government have also constituted Working Committee to assist and advise the above Empowered Committee.

7. In the reference 9th cited, the CCLA & Spl.C.S has sent the report of the Empowered Committee.

8. After careful consideration of the issue and report of the Empowered Committee, the Government hereby re-issue orders extending the scheme issued in G.O.Ms.No.747, Revenue (UC.I) Department, Dt. 18.6.2008 with the following modifications, duly superceding the orders issued in G.O.Ms.No. 1480, Revenue (UC.I) Department, dt.11.12.2008:

(1). The last date for receipt of application is 30.06.2022 under this scheme.

(2). These orders shall not apply to the cases where allotment of land has already been made by the Government prior to these orders and decided to be retained by the Government for public purpose. These orders shall also not apply to any vacant surplus land in possession and enjoyment of Government/Government agency.

(3). The allotment of excess land to the 3rd parties in occupation/land owners shall be subject to payment of 1.5 times of the present Basic value of the land. There shall be no depreciation clause.

(4). Amount towards allotment of excess land may be paid in two installments, 50% of the amount shall be paid along with application and the balance amount shall be paid within (1) month from the date of in-principle approval of the Government.

(5). Applications filed for allotment of excess land to the 3rd parties in occupation/land owners shall be scrutinized by a District Level Scrutiny Committee as follows:

i) District Level Scrutiny Committee shall comprise of:

1.	District Collector	Chairman
2.	Joint Collector & CA, ULC	Member/Convener
3.	Sub Collector/Revenue Divisional Officer	Member
4.	Assistant Director, Survey &Land Records	Member
5.	District Registrar, Registration & Stamps	Member

ii) The District Level Scrutiny Committee may examine each of the application, the connected record and the report of Tahsildar/Surveyor/RDO/Sub-Collector and decide its eligibility, present basic value of the land involved and recommend to the Government through the CCLA within a period of (1) month from the date of application.

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(6). The CCLA after processing the proposals through the APLMA committee, shall send the proposals to the Government for approval. The decision of the Government in this regard shall be final.

(7). Wherever the allottee, who has been allotted after paying the value of the land, desires to get the allotment registered at his cost, the same is permitted to be registered and simultaneous action is to be taken for deletion from the list of prohibitory properties u/s 22 A (1) (d) of Registration Act, 1908.

(8). At the end of condition e (ii), the following shall be added:-

"The structure shall be evidenced by the following Primary documents:

Primary Documents

1. Electricity Connection
2. Construction Permission
3. Water Supply Connection"

(9). The Condition (v) shall be substituted as follows:

"When the vacant land allotted under these orders exceeds the ceiling limit prescribed for the respective urban agglomeration, the amount payable shall be double the rates mentioned in point (3) above for such excess extent over and above the ceiling limit."

(10). The following are deleted from the G.O.Ms.No.747,Revenue (UC.I), Department, dated 18.06.2008:

(i) Schedule. I and Schedule.III
(ii) Condition d, f, g, h, k, l, m, n, p, q, x
(iii) In condition r and s, the details pertaining to Hyderabad and Warangal

9. The Special Chief Secretary & Chief Commissioner of Land Administration, District Collectors, Visakhapatnam, Krishna and Guntur and Joint Collectors & Competent Authorities, ULC, Visakhapatnam, Krishna and Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT(FAC)

To
The Joint Collector (RB&R) & Competent Authority, Urban Land Ceiling, Visakhapatnam, Krishna and Guntur
The Special Chief Secretary and Chief Commissioner Land Administration, A.P. Vijayawada
Copy to the District Collector, Visakhapatnam, Krishna and Guntur
The General Administration (Cabinet) Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER